

**ZB# 95-21**

**Mobil Oil Corp. /  
Eastern Consulting, Inc.**

**4-1-9.3**

Prelim.

May 22, 1995.

① Need copy + letter

② Copy of deed +

③ Title report +

④ Photos (at hearing)

⑤ Fees: 130.00 ✓

500.00 ✓

5/30/95 Notice ~~to~~ <sup>sent</sup> letters out - 5/31/95.

Public Hearing:

June 12, 1995.

Area Variance

Granted.

Refund: \$ 376.00

#95-21- Mobil Oil Corp. /  
Eastern Consulting, Inc.

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, NY 12550

**GENERAL RECEIPT**

Received of Eastern Consulting, Inc. May 17 1995 10.00

Ten and 00 DOLLARS

For ZBA # 95-21 100

DISTRIBUTION:

| FUND    | CODE | AMOUNT |
|---------|------|--------|
| CR 5251 |      | 10.00  |
|         |      |        |
|         |      |        |

By Dorothy Hansen  
Town Clerk  
Title

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**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, NY 12550

**GENERAL RECEIPT**

Received of Eastern Consulting, Inc. May 25 1995 150.00

One Hundred Fifty and 00 DOLLARS

For ZBA # 95-21 Approval Fee 100

DISTRIBUTION:

| FUND    | CODE | AMOUNT |
|---------|------|--------|
| CR 5259 |      | 150.00 |
|         |      |        |
|         |      |        |

By D. Hansen  
Town Clerk  
Title

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APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Mobil Oil Corp./Eastern Consulting

FILE # 95-21

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE . . . . . \$ 150.00 paid

\* \* \* \* \*

OK #5259.  
5/26/95.  
paid  
#5260  
5/26/95.

ESCROW DEPOSIT FOR CONSULTANT FEES . . . . . \$ 500.00

DISBURSEMENTS -

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING - PER PAGE 5/22/95 - 6 pages \$ 27.00  
2ND PRELIM. MEETING - PER PAGE 6/12/95 - 6 pages \$ 27.00  
3RD PRELIM. MEETING - PER PAGE . . . . . \$ \_\_\_\_\_  
PUBLIC HEARING - PER PAGE . . . . . \$ \_\_\_\_\_  
PUBLIC HEARING (CONT'D) PER PAGE . . . . . \$ \_\_\_\_\_

TOTAL . . . . . \$ 54.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING- \_\_\_\_\_ HRS. 5/22/95 . . . . . \$ 35.00  
2ND PRELIM. \_\_\_\_\_ HRS. 6/12/95 . . . . . \$ 35.00  
3RD PRELIM. \_\_\_\_\_ HRS. . . . . \$ \_\_\_\_\_  
PUBLIC HEARING \_\_\_\_\_ HRS. . . . . \$ \_\_\_\_\_  
PUBLIC HEARING \_\_\_\_\_ HRS. (CONT'D) . . . . . \$ \_\_\_\_\_

TOTAL HRS. \_\_\_\_\_ @ \$ \_\_\_\_\_ PER HR. \$ \_\_\_\_\_  
TOTAL . . . . . \$ 70.00

MISC. CHARGES:

\_\_\_\_\_ . . . . . \$ \_\_\_\_\_  
TOTAL . . . . . \$ 134.00

LESS ESCROW DEPOSIT . . . . . \$ \_\_\_\_\_  
(ADDL. CHARGES DUE) . . . . . \$ \_\_\_\_\_  
REFUND TO APPLICANT DUE . . . . . \$ 376.00



Date ..... 6/13 ..... , 1971

# TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553**

TO Mobil Oil Corp. DR.

Charge: ZBA Escrow Danbury, CT 06811

**DATE**

**CLAIMED**

**ALLOWED**

[illegible]

# EASTERN CONSULTING, INC.

PERMIT ACCOUNT  
36 MILL PLAIN ROAD  
DANBURY, CT 06811  
PHONE (203) 791-2186

| EXPLANATION | AMOUNT |
|-------------|--------|
| 094020      |        |
|             |        |
|             |        |
|             |        |

50-446/214  
BRANCH 26  
5259

PAY  
AMOUNT  
OF

One Hundred Fifty

00  
100

DOLLARS

CHECK  
AMOUNT

| DATE    | TO THE ORDER OF     | CHECK<br>NUMBER |
|---------|---------------------|-----------------|
| 5/24/95 | Town of New Windsor | 5259            |

23A APR. FEE

\$ 150.00

FLEET BANK  
EAST FARMINGDALE 13406  
EAST FARMINGDALE, NY 11735

⑈005259⑈ ⑆021404465⑆ 93800 59805⑈

# EASTERN CONSULTING, INC.

PERMIT ACCOUNT  
36 MILL PLAIN ROAD  
DANBURY, CT 06811  
PHONE (203) 791-2186

| EXPLANATION | AMOUNT |
|-------------|--------|
| 094020      |        |
|             |        |
|             |        |
|             |        |

50-446/214  
BRANCH 26  
5260

PAY  
AMOUNT  
OF

Five Hundred Dollars

00  
100

DOLLARS

CHECK  
AMOUNT

| DATE    | TO THE ORDER OF     | CHECK<br>NUMBER |
|---------|---------------------|-----------------|
| 5/24/95 | Town of New Windsor | 5260            |

Escrow

\$ 500.00

FLEET BANK  
EAST FARMINGDALE 13406  
EAST FARMINGDALE, NY 11735

⑈005260⑈ ⑆021404465⑆ 93800 59805⑈

# EASTERN CONSULTING, INC.

PERMIT ACCOUNT  
36 MILL PLAIN ROAD  
DANBURY, CT 06811  
PHONE (203) 791-2186

| EXPLANATION | AMOUNT |
|-------------|--------|
| 594020      |        |
|             |        |
|             |        |
|             |        |

50-446/214  
BRANCH 26

5251

PAY  
AMOUNT  
OF

Ten Dollars

00/100 DOLLARS

CHECK  
AMOUNT

| DATE    | TO THE ORDER OF     | CHECK<br>NUMBER |
|---------|---------------------|-----------------|
| 5/16/95 | Town of New Windsor | 5251            |

Variance List Balance

\$ 10.00

#95-21

FLEET BANK  
EAST FARMINGDALE 13406  
EAST FARMINGDALE, NY 11735



⑈00525⑈ ⑆021404465⑆ 93800 59805⑈

-----X  
In the Matter of the Application of

MOBIL OIL CORPORATION

DECISION GRANTING  
AREA VARIANCE#95-21  
  
-----X

WHEREAS, MOBIL OIL CORPORATION, a corporation having an office at 3225 Gallows Road, Fairfax, Virginia, has made application before the Zoning Board of Appeals for a 7,662 s.f. lot area, 54.85 ft. front yad and 15.3 ft. maximum building height variance in order to construct a canopy at the Mobil station located at the corner of Union Avenue and Route 207 in a C zone; and

WHEREAS, a public hearing was held on the 12th day of June, 1995, before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared by Carolyn Vasisko from Eastern Consulting, Inc.; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke and there was no opposition to the application before the Board; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence presented by the applicant showed that:

(a) The subject property is a commercial premises consisting of a gas station.

(b) It is located in a commercial neighborhood.

(c) The proposed variances are for the construction of a canopy which will promote safety in that it will contain a "state of the art" fire suppression system.

(d) The proposed canopy will promote commercial competitiveness for this gas station when compared with other nearby gas stations which have similar canopies.

(e) There is no way that the requirements of the Zoning Local Law of the Town of New Windsor could be met without demolishing the station and reconstructing it entirely which is economically prohibitive.

(f) The height variance requested is needed to accommodate fuel trucks servicing the pumps underneath the canopy and has been shown to be the minimum necessary to accommodate such vehicles.

(g) The lot area of the parcel cannot be changed.

(h) Even if the building on the property was relocated, such relocation would be unsafe for the entrance and exit and on-site travel of vehicles and traffic.

(i) There is no toxic dirt or waste of any kind on the site.

(j) The canopy, if allowed by this board, would contain identification on it which would promote vehicle safety on the adjacent road (Union Avenue) by advising oncoming motorists of the existence of the gas station in enough time to allow them safely to slow and enter the facility.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The variances requested are substantial but are nevertheless warranted because of the unique layout and construction of the site and because their granting will promote public safety.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulties herein are self-created but should be granted because the granting will promote vehicle and personal safety.

6. It is the finding of this Board that the benefit to the applicant, if the requested area variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested area variance is the minimum variance necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

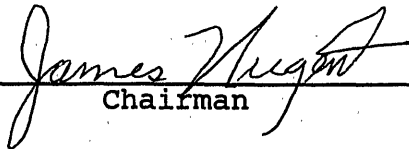
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 7,662 s.f. lot area, 54.85 ft. front yard and 15.3 ft. maximum building height variance for construction of a canopy at the Mobil station located at the corner of Union Avenue and Route 207, in a C zone, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: July 10, 1995.

  
Chairman

(ZBA DISK#13-062995.PR)

Date 6/14/95, 19.....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 147 Sycamore Dr DR.  
New Windsor, NY 12553

| DATE    |  |                      | CLAIMED | ALLOWED |
|---------|--|----------------------|---------|---------|
| 6/12/95 |  | Zoning Board Meeting | 75 00   |         |
|         |  | Misc. - 2            |         |         |
|         |  | Rogers. - 8 pgs      |         |         |
|         |  | Kill. G. Realty - 7  |         |         |
|         |  | Trifido - 6          |         |         |
|         |  | Hayen - 4            |         |         |
|         |  | ECTS - 9             |         |         |
|         |  | Accumanno - 4        |         |         |
|         |  | Mobil Oil - 6 27.00  |         |         |
|         |  | Evans - 1            |         |         |
|         |  | 47 pp                | 211 50  |         |
|         |  |                      | 286 50  |         |

MOBIL OIL CORPORATION

Ms. Carolyn Vasisko from Eastern Consulting, Inc. appeared before the board for this proposal.

MR. NUGENT: Request for 7,662 s.f. lot area, 54.85 ft. front yard and 15.3 ft. maximum building height variances in order to construct canopy at Mobil station at corner of Union and Route 207 in a C zone.

MR. NUGENT: There's no one here except for the people representing.

MR. KRIEGER: Let the record reflect there are no persons present in the audience who care to speak on this application, other than the applicant.

MS. BARNHART: For the record, I mailed out 13 addressed envelopes to property owners within 500 feet on May 31, 1995.

MR. NUGENT: State what your request is.

MS. VASISKO: We're requesting variance like we discussed. We wish to put the canopy above the existing pump station located on Union Avenue. I don't know if you have all seen the site plan for this. Basically, we're, our intention is that this canopy will provide a better buying experience for the customers. It will provide shelter in inclement weather and also lighting that the canopy provides will provide a well lit station at night which will improve the safety of the site. We have a picture of a canopy, this is very similar to what we'd be installing. We'd also be including an identification sign as shown there and I think if you are traveling Route 300 coming south, that identification will give you better visibility so you can make a decision with more time rather than getting up to the station right. Now the existing identification sign is way down on the corner. By the time you get to focus in on that, you're already up to the station. We also want to put a fire suppression system state of the art which will be within the canopy at that location. Down the street from this site, we do have a couple of stations, the



Sunoco, Getty in Lloyds, that all have canopies at this time and this day and age, most people are expecting canopies at the stations they pull into. So in order to maintain competitive, well, we'll be at a competitive disadvantage without something. Right now, I've shown on here the setbacks front rear and side also really not a whole lot of room to reassemble the station in order to meet the required numbers.

MR. KRIEGER: Meeting the required numbers that is what would be required to meet the numbers reconstructing the entire station?

MS. VASISKO: As it is now, the existing building is also five feet from the edge of the property. There's no way we can push the building back. We also have lot area variance and this is an existing condition whether we do anything or not this is something that showed up, and we'd like to get that approved.

MR. KANE: That is pre-existing, Mike?

MR. BABCOCK: Which one was that?

MR. KANE: Lot area.

MR. BABCOCK: Yes.

MS. VASISKO: We also have a height variance. We have tankers that will be coming into the station to drop the gas and pulling out on and around, they have to have access underneath that canopy and we're asking for 14 foot 6 inch to the underside of the canopy and most of the tankers I would say maximum is about 13 foot 6 and then we need room for clearance.

MR. TORLEY: Now, they are hauling out contaminated soil, soil that has been mixed with petroleum products but that will not effect the pumps and associated hardware?

MS. VASISKO: No.

MR. TORLEY: That is why you can't rotate the whole pump aisle 90 degrees?

MS. VASISKO: If we rotated this, we wouldn't have enough room to maneuver adequately, you'd have to have, I don't have a scale, these run about, well, the canopy itself is three foot wide so we have 30 foot pump islands. If you turn that around, I don't think you're going to have room to maneuver.

MR. KANE: Knowing the station, there's no way you'd be able to pull in and make a decent and safe turn with that building like that, I mean that is--

MR. BABCOCK: I don't think they plan on removing the islands, they are just putting new pumps on those islands.

MS. VASISKO: Right, we're preserving right where the islands are there now just putting a canopy over top.

MR. TORLEY: Dirt has been removed?

MS. VASISKO: Any dirt that is removed at this time during the actual construction project we'll be checking for contamination and that will be removed from site and fill that will be put back in will be clean fill.

MR. TORLEY: There was a pile of dirt there a while ago that is gone?

MR. BABCOCK: Yeah, there's no material that I am aware of there.

MS. VASISKO: I'm not aware of any material that has been left on the site. There is remediation going on at the site and during our construction project, there will be some more dirt that is contaminated removed from the site, but it's not stockpiled, it's actually removed from the ground.

MR. NUGENT: Are you going to have the signs on this canopy similar to what this shows?

MS. VASISKO: Yes, the identification Mobile sign.

MR. NUGENT: Are they going to be lit?

MS. VASISKO: I don't know if it's going to be illuminated or not.

MS. BARNHART: It's blue.

MS. VASISKO: There's a red O and the other letters are blue.

MR. TORLEY: Have we, we have counted those as signs in the past, have we? Not on the--

MR. NUGENT: We did the one in Vails Gate because they had so many. You only have one canopy?

MS. VASISKI: Yes, one.

MR. TORLEY: Almost more like an architectural symbol more than words.

MR. NUGENT: Logos.

MR. BABCOCK: I don't think we discussed signs.

MR. NUGENT: I'm not sure they need them. Mike, the reason we had them in Vails Gate was there was so many canopies so I think there was three canopies and I don't know how many signs.

MR. BABCOCK: Right, it was the corner lot.

MR. TORLEY: And they are still putting the signs out in the street, too.

MR. BABCOCK: Who's that?

MR. TORLEY: Mobile station running the banners out near the street.

MR. BABCOCK: Promotional.

MR. TORLEY: They promised no other signs.

MR. NUGENT: They lied.

MR. TORLEY: Well, so we're going to ask you the same question.

MR. KANE: We're not dealing with that though, no signs.

MR. BABCOCK: They are--

MS. VASISKO: There's one, possibly two, one per side each alongside the canopy.

MR. BABCOCK: Sign ordinance permits banner type signs for a period of 30 days. If they are running promotional sale on something, on oil or cigarettes or whatever.

MR. NUGENT: I don't believe that she's over on signage on this particular canopy.

MR. BABCOCK: I don't think they are because I don't think we've ever discussed the signs to be honest with you.

MS. VASISKO: Right now, the only other signs would be the identification sign on the corner and there's a Mobil legend on the building.

MR. BABCOCK: Which are existing.

NS. VASISKO: Right.

MR. LANGANKE: I like the point about the safety aspect to prevent the abrupt stopping on the road as people notice the station. I've used that road and I've seen it happen. I think this will remove a lot of the safety hazards.

MR. TORLEY: I am also glad to see that the canopies are going in.

MR. LANGANKE: It's a good project.

MR. NUGENT: Any further questions? I'll accept a motion.

June 12, 1995

45

MR. LANGANKE: I make a motion that we grant the Mobil Oil Corporation request for variance as so stated.

MR. KANE: Second it.

ROLL CALL

|              |     |
|--------------|-----|
| MR. KANE     | AYE |
| MR. LANGANKE | AYE |
| MR. TORLEY   | AYE |
| MR. NUGENT   | AYE |
| MR. REIS     | AYE |



MOBIL  
POUGHKEEPSIE STATION  
06-QJB GEH

VIEW: *Poughkeepsie*

DATE: 05/01/92 NO. A1801 - 1  
photo: bernstein assoc/mt vernon ny

1801.1

*g. S*

Prelim.

May 22, 1995  
#95-21OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NYNOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATIONPLANNING BOARD FILE NUMBER: 95-8DATE: 8 MAY 1995

MOBIL OIL CORPORATION

APPLICANT: W/D EASTERN CONSULTING INC36 MILL PLAIN RDDANBURY CT 06811PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 24 FEB 1995FOR (~~SUBDIVISION~~) - SITE PLAN) \_\_\_\_\_LOCATED AT WEST SIDE UNION AVE, NORTH OFRT 207,ZONE CDESCRIPTION OF EXISTING SITE: SEC: 4 BLOCK: 1 LOT: 9.3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

LOT AREA VARIANCEFRONT YARD (CANOPY) VARIANCEHT. VARIANCE (CANOPY)  
MICHAEL BABCOCK, For

BUILDING INSPECTOR



| <u>REQUIREMENTS</u>  |  | <u>PROPOSED OR AVAILABLE</u>                  | <u>VARIANCE REQUEST</u> |
|----------------------|--|---|-------------------------|
| ZONE                 | <u>C</u>   | USE <u>B-5 + A-1</u>                          |                         |
| MIN. LOT AREA        | <u>40 000 SF</u>                                       | <u>32,338 SF</u>                              | <u>7662 SF</u>          |
| MIN. LOT WIDTH       | <u>200 FT</u>  | <u>300</u>                                    | <u>—</u>                |
| REQ'D FRONT YD       | <u>60 FT</u>   | <u>5.16' *</u>                                | <u>54.84 FT *</u>       |
| REQ'D SIDE YD.       | <u>30 FT</u>   | <u>75</u>                                     | <u>—</u>                |
| REQ'D TOTAL SIDE YD. | <u>70 FT</u>   | <u>240</u>                                    | <u>—</u>                |
| REQ'D REAR YD.       | <u>30 FT</u>   | <u>5 FT</u>                                   | <u>**</u>               |
| REQ'D FRONTAGE       | <u>N/A</u>   | <u>—</u>                                      | <u>—</u>                |
| MAX. BLDG. HT.       | <u>47' FT</u> <u>1.67' BLDG</u><br><u>1.72' CANOPY</u> | <u>14.5' BLDG **</u><br><u>12.0' CANOPY *</u> | <u>15.3' *</u>          |
| FLOOR AREA RATIO     | <u>0.5</u>   | <u>0.05</u>                                   | <u>—</u>                |
| MIN. LIVABLE AREA    | <u>N/A</u>   | <u>—</u>                                      | <u>—</u>                |
| DEV. COVERAGE        | <u>N/A</u> %   | <u>—</u> %                                    | <u>—</u> %              |
| O/S PARKING SPACES   | <u>4</u>   | <u>5</u>                                      | <u>—</u>                |

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS. \* VALUE APPLIES TO CANOPY

\*\* PRE-EXISTING NON-CONFORMANCE

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

TOTAL P.02

MOBIL OIL SITE PLAN (95-8) CORNER OF RT. 207 & UNION  
AVENUE (EASTERN CONSULTING)

Richard Calkins appeared before the board for this proposal.

MR. CALKINS: My name is Richard Calkins with Eastern Consulting out of Danbury, Connecticut. We appeared before the board a couple of meetings ago in which we were asking the commission to provide the avenue to move forward to the Zoning Board of Appeals, we need two variances on this piece of property. We need a variance for front yard setback and for a height of a canopy that we're proposing for the top of the existing gas pumps. We received some direction from the town attorney or the town engineer and I believe we have corrected the issues that he raised pertinent to the ZBA application.

MR. VAN LEEUWEN: What about the DEC.

MR. CALKINS: Michael Lamarre is here, he's an environmental engineer with Mobil Oil, he will answer any questions you need to ask on the remediation.

MR. VAN LEEUWEN: You know what our problem is, in order to give you final approval, we've got to give you negative dec. We can't give you positive dec now as long as this property is being tested by the DEC, we can't sit here and give it negative dec.

MR. PETRO: Henry, we have a letter dated March 17, '95, are you going to go over that letter?

MR. CALKINS: I'd rather have Mike go over it, he's the one that wrote it.

MR. PETRO: It has to be addressed because I think that that was one of our main things why we didn't send him.

MR. CALKINS: Mike, can you explain the system?

MR. MICHAEL LA MARRE: As of present, there was a ground water treatment system where we're extracting the water from the ground, putting it through an air

stripper and discharging it to the storm sewer in the area. That system approximately a year, about a year ago was deemed inadequate and we were given permission by the DEC to shut it down. We're trying to go back in and upgrade the system, enhance it, utilizing some newer technologies but we need to do that plus we need to excavate soil which will be done in conjunction with the capital project that we're proposing.

MR. PETRO: So, there is contamination or monitoring contamination?

MR. LA MARRE: Right now there is contamination.

MR. PETRO: Monitoring for contamination or is there contamination?

MR. LA MARRE: There is contamination there as of right now there are two monitoring wells which you can see here located across the street and then there are monitoring wells located on the Mobil property, the monitoring wells are located across the street, have been analyzed through certified laboratory and were below detection limits for petroleum components. So there is no migration this way, the majority of the contamination is located on site and the need for us to come in and what the letter states is more along the lines of a remedial action plan where we propose future work to be done at the site and the significance of Mr. Carl Weedes (phonetic), the spills management person in charge of this location.

MR. VAN LEEUWEN: He gave you a letter that we can go ahead and work on this project?

MR. LA MARRE: He gave me a letter stating that he approves the technology that we're proposing to utilize here and the plan of action that we have proposed so he's agreed with our plan of action but he has not had anything to do with it.

MR. PETRO: Which brings me to this question your plan of action, monitor it and possibly clean it in the future accepted by the DEC is what you're saying? But I would like to know either from the Planning Board

attorney or from Mark how do we declare a negative dec on something that you're telling us that there's contamination there? How are we going to do that? Is it at all possible to even go any further?

MR. KRIEGER: Possible.

MR. CALKINS: I think if I read the letter correctly, correct me if I am wrong, Mike, what you're proposing to do is as we do this capitol project, we need to take approximately 500 or 600 tons of material out of here that is contaminated. In order to do that, we're going to completely shut this business down and we'd like to do in conjunction with any repairs that we do in this area is to erect a canopy at the same time.

MR. PETRO: Let me put this out to you, Richard, and the rest of the members. If indeed we move forward let's say that we conceptually approve what we want to do, I don't think anybody has a problem and we send it to the Zoning Board and you have to understand until the site is cleaned and we have a letter from the DEC stating that in fact it is cleaned, I don't think that we can obviously go through the SEQRA process and give you any form of approval. So you'd be going to the Zoning Board at your own risk and come back here and might not be done until this is all done but at least you'd have the variances to go further with the Planning Board at that time. And I am only one member.

MR. VAN LEEUWEN: The Zoning Board doesn't have to declare anything.

MR. PETRO: We can send them there, Henry, and they can come back and if it's cleaned up by then.

MR. VAN LEEUWEN: At your own risk.

MR. CALKINS: I am aware of that.

MR. VAN LEEUWEN: We can't sit here and declare negative dec, like I told you before, if we know ahead of time then we'll go to jail. I'm not going to go to jail.

MR. PETRO: I don't think anyone here is against the canopy. Anybody against the setback being corrected?

MR. VAN LEEUWEN: No.

MR. PETRO: You can go further, in the meantime, you can get your site cleaned up and we can go forward, that is going to take a month or two or three to go through the next process and I guess you have everything under control, if you are monitoring. Do you have plans to clean up the site at any time soon?

MR. CALKINS: Yes. And that will be in conjunction with this project.

MR. STENT: The only variance you are looking for is because of the awning, is that correct?

MR. CALKINS: They are putting the canopy over the pumps, existing islands, it's going to be over the front property line and it's going to be too high.

MR. STENT: But that is the only thing you are talking about?

MR. CALKINS: Right.

MR. STENT: You can start working out there removing the 5, 600 tons of dirt?

MR. CALKINS: Well, we're going to take the station out of business when we do that.

MR. PETRO: There is fine timing before we can do an approval or go any further. When you come back to the board, you're going to need the site cleaned so you might be able to do that, you might have to stop a few months before you come back to the board, get it cleaned up, get the letter, then come to the board. There's a timetable that is going to have to be set up properly.

MR. VAN LEEUWEN: If I were you, get together with the DEC, see if the DEC will give you a letter stating that will be enough and we can declare negative dec because

we cannot approve a project without negative dec.

MR. CALKINS: You'll accept a letter from Harold Weedes stating that it was his opinion?

MR. VAN LEEUWEN: Yeah. That all right with you?

MR. PETRO: I didn't think about it that far.

MR. EDSALL: I think under the SEQRA review process, you're supposed to identify any potential problems and before you can reach a negative dec, you have to have addressed the manner in which they are going to be handled or mitigated. And I think you can tie in cleaning up this problem with the approval process similar to what you did for Coastal, which required that they, as part of the site plan, finish that cleanup work. I don't believe you have to have them physically clean up on the site before you can give negative dec, you have to address the manner in which it's going to be solved. So the bottom line is this is a way of guaranteeing as part of your site plan approval that they will in fact accomplish what they have to do, not only to satisfy the DEC because there is a spill there but satisfy you in the fact that you as lead agency want to have it done. So I would think that that, what they have to do is when they come back from the ZBA, have a clear outline plan as to what they are going to do, when it's going to be finished, that it's going to be finished before they ask you to accept the island and let them reopen and at that time, they would have mitigated the problem.

MR. PETRO: That is even better for you. So I think we're of the same thinking, you're on track. What we need is a motion for approval.

MR. DUBALDI: Make a motion we approve Mobil Oil Site Plan.

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Mobil Oil Corporation site on Route 207 and Union

April 12, 1995

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Avenue. Any further discussion from the board members?  
If not, roll call.

ROLL CALL

|                 |    |
|-----------------|----|
| MR. VAN LEEUWEN | NO |
| MR. STENT       | NO |
| MR. DUBALDI     | NO |
| MR. PETRO       | NO |

MR. PETRO: You received the necessary variances that  
you need to further your application from the Zoning  
Board, we'll further review your project, thank you.

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 95-21

Date: 5/24/95

I. Applicant Information:

- (a) MOBIL OIL CORPORATION 3225 GALLOWS RD. FAIRFAX, VA 800-227-0707  
(Name, address and phone of Applicant) (Owner)
- (b) MOHAMAD JAMAL 801 UNION AVE. NEW WINDSOR, NY. 914-567-9320  
(Name, address and phone of purchaser or lessee)
- (c) N/A  
(Name, address and phone of attorney)
- (d) EASTERN CONSULTING, INC. 36 MILL PLAIN RD. DANBURY, CT 748-0800  
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ( ) Use Variance ( ) Sign Variance
- (x) Area Variance ( ) Interpretation

III. Property Information:

- (a) C 801 UNION AVE. 4.1.93 32,338 sq. ft.  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? n/a
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? \_\_\_\_\_
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO  
If so, when? N/A
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

IV. Use Variance.

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow: \_\_\_\_\_  
(Describe proposal) N/A



(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.  
N/A

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes        No       .

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-9&, Table of USE/BULK Regs., Col. E & I.  
48-12

| <u>Requirements</u>                   | <u>Proposed or Available</u>              | <u>Variance Request</u> |
|---------------------------------------|---|-------------------------|
| Min. Lot Area <u>40,000 sf.</u>       | <u>32,338 sf.</u>                         | <u>N/A 7,662 sf.</u>    |
| Min. Lot Width <u>      </u>          | <u>      </u>                             | <u>N/A</u>              |
| Reqd. Front Yd. <u>60'</u>            | <u>57.5' 51.6'</u>                        | <u>54.25' 54.84'</u>    |
| Reqd. Side Yd. <u>      </u>          | <u>      </u>                             | <u>N/A</u>              |
| Reqd. Rear Yd. <u>      </u>          | <u>      </u>                             | <u>N/A</u>              |
| Reqd. Street Frontage* <u>      </u>  | <u>      </u>                             | <u>N/A</u>              |
| Max. Bldg. Hgt. <u>4 Ft. of Dist.</u> | <u>17' <sup>Coverly</sup> 14.5' Bldg.</u> | <u>15.3'</u>            |
| Min. Floor Area* <u>      </u>        | <u>      </u>                             | <u>      </u>           |
| Dev. Coverage* <u>      </u> %        | <u>      </u> %                           | <u>      </u> %         |
| Floor Area Ratio** <u>      </u>      | <u>      </u>                             | <u>      </u>           |
| Parking Area <u>      </u>            | <u>      </u>                             | <u>N/A</u>              |

\* Residential Districts only

\*\* No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

SEE ATTACHED

(You may attach additional paperwork if more space is needed)

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section N/A, Table of N/A Regs., Col. N/A.

|        | <u>Requirements</u> | <u>Proposed or Available</u> | <u>Variance Request</u> |
|--------|---------------------|------------------------------|-------------------------|
| Sign 1 |                     |                              |                         |
| Sign 2 |                     |                              |                         |
| Sign 3 |                     |                              |                         |
| Sign 4 |                     |                              |                         |
|        |                     |                              |                         |
|        |                     |                              |                         |

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

N/A

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

N/A

VII. Interpretation.

(a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

(b) Describe in detail the proposal before the Board:

N/A

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

The proposed canopy will not change the character of the site and/or neighborhood due to the fact that other gas stations in the nearby vicinity presently have canopies. The canopy will provide a positive impact on the neighborhood by providing protection for customers from adverse weather conditions as well as lighting and safety at night. The front setback variance and building height variance are the minimum variances required to adequately shield traffic stopped under the canopy from the weather and to allow tankers to pass under the canopy. Without the canopy, the site will operate at a competitive disadvantage to the nearby locations with canopies. Granting of the area variances will ensure reasonable use of the site will continue.

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 150.00 and the second check in the amount of \$ 500.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Conventur

Date: 5/24/94

STATE OF ~~NEW YORK~~

) SS.: BROOKFIELD

COUNTY OF ~~ORANGE~~

Fairfield

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Carolyn Vucich  
(Applicant)

AGENT

Sworn to before me this

24 day of MAY 1994

RICHARD M. CALKINS

NOTARY PUBLIC

XI. ZBA Action:

MY COMMISSION EXPIRES MARCH 31.

(a) Public Hearing date: \_\_\_\_\_.

(b) Variance: Granted (\_\_\_) Denied (\_\_\_)

(c) Restrictions or conditions: \_\_\_\_\_

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC  
HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF  
APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

# Mobil Oil Corporation

50 BROADWAY  
HAWTHORNE, NEW YORK 10532

April 6, 1995

. To Whom It May Concern:

## AUTHORIZATION TO ACT AS AGENT FOR MOBIL

This letter authorizes Carolyn Vasisko of Eastern Consulting to represent Mobil Oil Corporation for the purpose of applying for and obtaining approvals and permits for service station construction projects.

Ms. Vasisko will also represent Mobil on other matters such as condemnations involving municipal, state and federal agencies.

Sincerely,



Richard J. Ciccotelli  
Resale Construction Eng.  
(914) 742-2901

## Appendix A

## State Environmental Quality Review

## FULL ENVIRONMENTAL ASSESSMENT FORM

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

### DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:    ☒ Part 1    ☒ Part 2    ☒ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☐ A The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment; therefore a **negative declaration will be prepared.**
  - ☐ B Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.\***
  - ☐ C The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**
- \* A Conditioned Negative Declaration is only valid for Unlisted Actions

\_\_\_\_\_  
Name of Action

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (If different from responsible officer)

\_\_\_\_\_  
Date

# PART 1—PROJECT INFORMATION

## Prepared by Project Sponsor

NOTICE This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

|   |  |   |                          |
|---|--|---|--------------------------|
| NAME OF ACTION<br><b>MOHAMAD JAMAL</b>  |  |   |                          |
| LOCATION OF ACTION (Include Street Address, Municipality and County)<br><b>801 UNION AVENUE, TOWN OF NEW WINDSOR, ORANGE COUNTY</b> |  |   |                          |
| NAME OF APPLICANT/SPONSOR<br><b>EASTERN CONSULTING, INC.</b>  |  | BUSINESS TELEPHONE<br><b>(203) 740-9280</b> |                          |
| ADDRESS<br><b>125 COMMERCE DRIVE</b>  |  |   |                          |
| CITY/PO<br><b>BROOKFIELD</b>  |  | STATE<br><b>CT</b>                          | ZIP CODE<br><b>06804</b> |
| NAME OF OWNER (if different)<br><b>MOBIL OIL CORPORATION</b>  |  | BUSINESS TELEPHONE<br><b>914 742-2909</b>   |                          |
| ADDRESS<br><b>3225 GALLOWS ROAD</b>   |  |   |                          |
| CITY/PO<br><b>FAIRFAX</b>   |  | STATE<br><b>VA</b>                          | ZIP CODE<br><b>22037</b> |
| DESCRIPTION OF ACTION   |  |   |                          |

Please Complete Each Question—Indicate N.A. if not applicable

### A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

- Present land use: ☐ Urban ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)  
☐ Forest ☐ Agriculture ☐ Other \_\_\_\_\_
- Total acreage of project area .742 acres.  

| APPROXIMATE ACREAGE   | PRESENTLY           | AFTER COMPLETION    |
|---|---------------------|---------------------|
| Meadow or Brushland (Non-agricultural)                      | <u>.358 ±</u> acres | <u>.358 ±</u> acres |
| Forested  | _____ acres         | <u>n/a</u> acres    |
| Agricultural (Includes orchards, cropland, pasture, etc.)   | _____ acres         | <u>n/a</u> acres    |
| Wetland (Freshwater or tidal as per Articles 24, 25 of ECL) | _____ acres         | <u>n/a</u> acres    |
| Water Surface Area  | _____ acres         | <u>n/a</u> acres    |
| Unvegetated (Rock, earth or fill)                           | _____ acres         | <u>n/a</u> acres    |
| Roads, buildings and other paved surfaces                   | <u>.384 ±</u> acres | <u>.384 ±</u> acres |
| Other (Indicate type) _____                                 | _____ acres         | <u>n/a</u> acres    |
- What is predominant soil type(s) on project site? MARDIN GRAVELLY SILT LOAM-3-8% (scsmap)  
  - Soil drainage: ☐ Well drained \_\_\_\_\_ % of site ☒ Moderately well drained 80 % of site  
☐ Poorly drained \_\_\_\_\_ % of site
  - If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? n/a acres. (See 1 NYCRR 370).
- Are there bedrock outcroppings on project site? ☐ Yes ☐ No  
  - What is depth to bedrock? 15 (in feet)



- 5 Approximate percentage of proposed project site with slopes ☒ 0-10% 100 % ☐ 10-15% \_\_\_\_\_ %  
☐ 15% or greater \_\_\_\_\_ %
- 6 Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? ☐ Yes ☒ No
- 7 Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No
- 8 What is the depth of the water table? 4.5 (in feet)
- 9 Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☒ No
- 10 Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No
- 11 Does project site contain any species of plant or animal life that is identified as threatened or endangered?  
☐ Yes ☒ No According to \_\_\_\_\_  
Identify each species \_\_\_\_\_
- 12 Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)  
☐ Yes ☒ No Describe \_\_\_\_\_
- 13 Is the project site presently used by the community or neighborhood as an open space or recreation area?  
☐ Yes ☒ No If yes, explain \_\_\_\_\_
- 14 Does the present site include scenic views known to be important to the community?  
☐ Yes ☒ No
- 15 Streams within or contiguous to project area: n/a  
a. Name of Stream and name of River to which it is tributary \_\_\_\_\_
- 16 Lakes, ponds, wetland areas within or contiguous to project area.  
a. Name n/a b. Size (in acres) \_\_\_\_\_
- 17 Is the site served by existing public utilities? ☒ Yes ☐ No  
a) If Yes, does sufficient capacity exist to allow connection? ☒ Yes ☐ No  
b) If Yes, will improvements be necessary to allow connection? ☐ Yes ☒ No
- 18 Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
- 19 Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
- 20 Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

## B. Project Description

- 1 Physical dimensions and scale of project (fill in dimensions as appropriate)
- Total contiguous acreage owned or controlled by project sponsor .742 acres.
  - Project acreage to be developed: .742 acres initially, .742 acres ultimately.
  - Project acreage to remain undeveloped n/a acres.
  - Length of project, in miles: n/a (If appropriate)
  - If the project is an expansion, indicate percent of expansion proposed 0 %;
  - Number of off-street parking spaces existing n/a, proposed n/a.
  - Maximum vehicular trips generated per hour n/a (upon completion of project)?
  - If residential: Number and type of housing units:  

|            | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially  | <u>n/a</u> |            |                 |             |
| Ultimately |            |            |                 |             |
  - Dimensions (in feet) of largest proposed structure 17 height; 36 width; 54 length.
  - Linear feet of frontage along a public thoroughfare project will occupy is? 36 ft.

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? n/a tons/cubic yards
3. Will disturbed areas be reclaimed? ☒ Yes ☐ No ☐ N/A
- a. If yes, for what intended purpose is the site being reclaimed? COMMERCIAL BUSINESS
- b. Will topsoil be stockpiled for reclamation? ☐ Yes ☒ No
- c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☒ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?  
☐ Yes ☒ No
6. If single phase project: Anticipated period of construction 3 months, (including demolition).
7. If multi-phased:
- a. Total number of phases anticipated n/a (number)
- b. Anticipated date of commencement phase 1 n/a month \_\_\_\_\_ year, (including demolition).
- c. Approximate completion date of final phase n/a month \_\_\_\_\_ year
- d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☒ No
8. Will blasting occur during construction? ☐ Yes ☒ No
9. Number of jobs generated: during construction 1-2, after project is complete 1
10. Number of jobs eliminated by this project 0
11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No If yes, explain \_\_\_\_\_
12. Is surface liquid waste disposal involved? ☐ Yes ☒ No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount \_\_\_\_\_
- b. Name of water body into which effluent will be discharged \_\_\_\_\_
13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No Type \_\_\_\_\_
14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No  
Explain \_\_\_\_\_
15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☒ No
16. Will the project generate solid waste? ☐ Yes ☒ No
- a. If yes, what is the amount per month \_\_\_\_\_ tons
- b. If yes, will an existing solid waste facility be used? ☐ Yes ☒ No
- c. If yes, give name \_\_\_\_\_, location \_\_\_\_\_
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No
- e. If Yes, explain \_\_\_\_\_
17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No
- a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month
- b. If yes, what is the anticipated site life? \_\_\_\_\_ years
18. Will project use herbicides or pesticides? ☐ Yes ☒ No
19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No
20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No
21. Will project result in an increase in energy use? ☒ Yes ☐ No  
If yes, indicate type(s) ELECTRICITY LIGHTING EQUIPMENT
22. If water supply is from wells, indicate pumping capacity n/a gallons/minute
23. Total anticipated water usage per day n/a gallons/day.
24. Does project involve Local, State or Federal funding? ☐ Yes ☒ No  
If Yes, explain \_\_\_\_\_

## 25. Approvals Required:

|                                    | Type  | Submittal Date                       |
|------------------------------------|---|--------------------------------------|
| City, Town, Village Board          | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>PLANNING BOARD SPECIAL PERMIT</u> |
| City, Town, Village Planning Board | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>SITE PLAN</u>                     |
| City, Town Zoning Board            | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>ZONING BOARD-VARIANCE</u>         |
| City, County Health Department     | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                      |
| Other Local Agencies               | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>BUILDING PERMIT</u>               |
| Other Regional Agencies            | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>ORANGE CNTY PLANNING DEPT.</u>    |
| State Agencies                     | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                      |
| Federal Agencies                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                      |

## C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No  
If Yes, indicate decision required:  
☐ zoning amendment ☒ zoning variance ☒ special use permit ☐ subdivision ☒ site plan  
☐ new/revision of master plan ☐ resource management plan ☐ other \_\_\_\_\_
- What is the zoning classification(s) of the site? ZONE C: DESIGN SHOPPING
- What is the maximum potential development of the site if developed as permitted by the present zoning?  
MAXIMUM POTENTIAL DEVELOPMENT IS 100 %
- What is the proposed zoning of the site? n/c
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?  
n/a
- Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?  
COMMERCIAL
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? ☒ Yes ☐ No
- If the proposed action is the subdivision of land, how many lots are proposed? n/a  
a. What is the minimum lot size proposed? \_\_\_\_\_
- Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? ☐ Yes ☒ No  
a. If yes, is existing capacity sufficient to handle projected demand? ☐ Yes ☐ No
- Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☒ No  
a. If yes, is the existing road network adequate to handle the additional traffic? ☐ Yes ☐ No

## D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

## E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name MOBIL OIL CORPORATION Date MAY 23, 1995  
Signature Cheryl V. [illegible] Title AGENT FOR MOBIL

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

## Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

### Responsibility of Lead Agency

#### General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further
- The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

#### Instructions (Read carefully)

- Answer each of the 19 questions in PART 2 Answer Yes if there will be any impact.
- Maybe answers should be considered as Yes answers
- If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1
- If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3
- If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3 A No response indicates that such a reduction is not possible. This must be explained in Part 3

#### IMPACT ON LAND

- Will the proposed action result in a physical change to the project site?  
☒ NO ☐ YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts \_\_\_\_\_

- Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) ☒ NO ☐ YES

- Specific land forms: \_\_\_\_\_

| 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated By<br>Project Change     |
|-------------------------------------|-----------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |

## IMPACT ON WATER

- 3 Will proposed action affect any water body designated as protected?  
(Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)  
☒ NO ☐ YES

**Examples** that would apply to column 2

- Developable area or site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts: \_\_\_\_\_

- 4 Will proposed action affect any non-protected existing or new body of water? ☒ NO ☐ YES

**Examples that would apply to column 2**

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease
- Construction of a body of water that exceeds 10 acres of surface area
- Other impacts: \_\_\_\_\_

- 5 Will Proposed Action affect surface or groundwater quality or quantity? ☒ NO ☐ YES

**Examples that would apply to column 2**

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity
- Construction or operation causing any contamination of a water supply system
- Proposed Action will adversely affect groundwater
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day \_
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons
- Proposed Action will allow residential uses in areas without water and/or sewer services
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts: \_\_\_\_\_

- 6 Will proposed action alter drainage flow or patterns, or surface water runoff? ☒ NO ☐ YES

**Examples** that would apply to column 2

- Proposed Action would change flood water flows.

[illegible]

|  | 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated By<br>Project Change     |
|--|-------------------------------------|-----------------------------------|--|
| • Proposed Action may cause substantial erosion  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts _____  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <b>IMPACT ON AIR</b>   |                                     |                                   |  |
| 7 Will proposed action affect air quality? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES<br>Examples that would apply to column 2  |                                     |                                   |  |
| • Proposed Action will induce 1 (XX) or more vehicle trips in any given hour   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed action will allow an increase in the amount of land committed to industrial use   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed action will allow an increase in the density of industrial development within existing industrial areas   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • (Other impacts _____)  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <b>IMPACT ON PLANTS AND ANIMALS</b>  |                                     |                                   |  |
| 8 Will Proposed Action affect any threatened or endangered species? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES<br>Examples that would apply to column 2                   |                                     |                                   |  |
| • Reduction of one or more species listed on the New York or Federal list using the site, over or near site or found on the site   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Removal of any portion of a critical or significant wildlife habitat   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Application of pesticide or herbicide more than twice a year, other than for agricultural purposes   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts _____  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <b>IMPACT ON AGRICULTURAL LAND RESOURCES</b>   |                                     |                                   |  |
| 9 Will Proposed Action substantially affect non-threatened or non-endangered species? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES<br>Examples that would apply to column 2 |                                     |                                   |  |
| • Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <b>IMPACT ON AGRICULTURAL LAND RESOURCES</b>   |                                     |                                   |  |
| 10 Will the Proposed Action affect agricultural land resources? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES<br>Examples that would apply to column 2                       |                                     |                                   |  |
| • The proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |

- [illegible]

11 Will proposed action affect aesthetic resources? ~~NO~~ YES  
(If necessary, use the Visual EAF Addendum in Section 617 21,  
Appendix B)

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: \_\_\_\_\_

12 Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? ☒ NO ☐ YES

Examples that would apply to column 2

- ## IMPACT ON OPEN SPACE AND RECREATION

- Examples that would apply to column 2 ☒ NO ☐ YES

- 9

### IMPACT ON TRANSPORTATION

- 14 Will there be an effect to existing transportation systems? ☒ NO ☐ YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts: \_\_\_\_\_

### IMPACT ON ENERGY

- 15 Will proposed action affect the community's sources of fuel or energy supply? ☒ NO ☐ YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts: \_\_\_\_\_

### NOISE AND ODOR IMPACTS

- 16 Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? ☒ NO ☐ YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen
- Other impacts: \_\_\_\_\_

### IMPACT ON PUBLIC HEALTH

- 17 Will Proposed Action affect public health and safety? ☐ NO ☒ YES

Examples that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.
- Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts: \_\_\_\_\_

| 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated By<br>Project Change                |
|-------------------------------------|-----------------------------------|---|
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No            |



### IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

18 Will proposed action affect the character of the existing community?  
☒ NO ☐ YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project
- Proposed action will conflict with officially adopted plans or goals
- Proposed action will cause a change in the density of land use
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects
- Proposed Action will create or eliminate employment
- Other impacts: \_\_\_\_\_

| 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated By<br>Project Change     |
|-------------------------------------|-----------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |

19 Is there or is there likely to be, public controversy related to potential adverse environmental impacts?  
☒ NO ☐ YES

**If Any Action in Part 2 Is Identified as a Potential Large Impact or  
If You Cannot Determine the Magnitude of Impact, Proceed to Part 3**

## Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

### Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

#### Instructions

Discuss the following for each impact identified in Column 2 of Part 2.

- 1 Briefly describe the impact
- 2 Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
- 3 Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

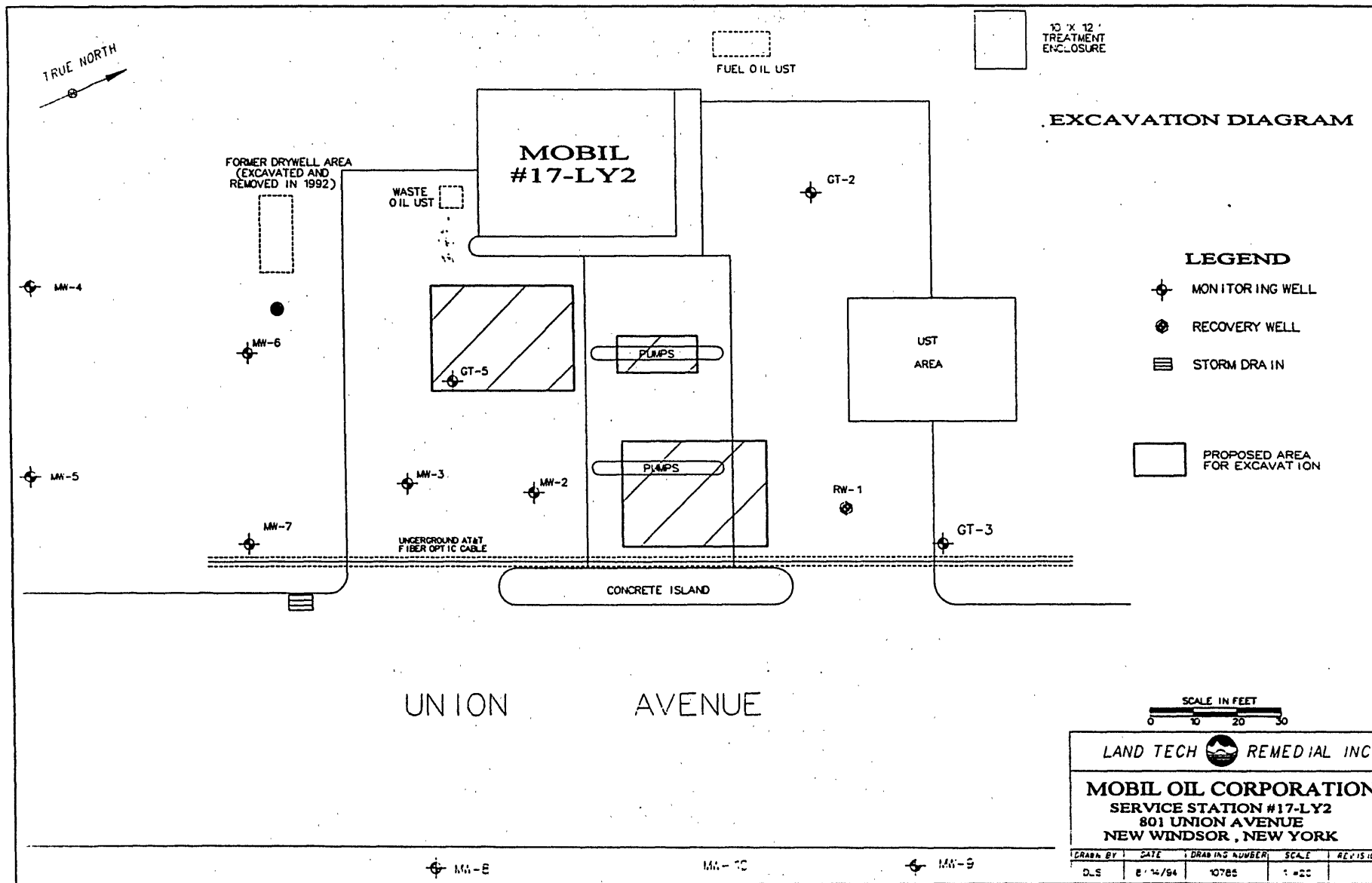
(Continue on attachments)

#### **D. INFORMATIONAL DETAILS:**

The scope of the project includes installation of a canopy over the existing pump islands and remediation of the site.

Remediation of the site will involve excavation and removal of the contaminated soil as shown on the attached diagram. Clean fill will replace all soil removed.

In conjunction with the remediation project, a new canopy is proposed to be constructed. Prior to excavation, pumps and islands will be removed. Upon completion of excavation, canopy column footings will be installed and the canopy will be constructed. When all fill has been replaced, new islands will be constructed (in same location) and pumps returned.



Standard N.Y.S.T.U. Form 9007 - 10M-11-60-Berglund and Side Third, with Covenants against Grantor's Act - individual and corporation.  
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 10<sup>th</sup> day of August, 1916 234  
BETWEEN JAMES Z. PATSALOS, residing on Grand Avenue, (no number)  
in the Town of Newburgh, County of Orange, and State of New York,

party of the first part, and MOBIL OIL CORPORATION, a corporation duly organized  
and existing under the laws of the State of New York, and having its  
principal office and place of business at 150 East 42nd Street, in the  
Borough of Manhattan, City, County and State of New York,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN (\$10.00) -----

-----dollars,

lawful money of the United States, and other good and valuable consideration paid  
by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or  
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, ~~situate in the Town of New Windsor, County of Orange, and State of New York,~~ situate,  
lying and being in the Town of New Windsor, County of Orange, and State of  
New York, and being more accurately bounded and described as follows:

BEGINNING at a point, said point being the intersection of the  
Westerly boundary of Union Avenue and the Northerly boundary of New  
Route 207, said point being the Southeasterly corner of the hereinafter  
described subject premises;

THENCE, North 60 degrees 21' 09" West 57.64 feet along the Northerly  
boundary of New Route 207 to a point in the Easterly boundary of the  
New York State Thruway, said point being the Southwesterly corner of  
the herein described subject premises;

THENCE, North 6 degrees 17' 40" East 47.40 feet along the Easterly  
boundary of the New York State Thruway to a concrete monument;

THENCE, continuing North 6 degrees 17' 40" East along the Easterly  
boundary of the New York State Thruway a distance of 19.52 feet to a  
concrete monument;

THENCE, North 11 degrees 35' 20" East 190.25 feet along the Easterly  
boundary of the New York State Thruway to a concrete monument;

THENCE, North 20 degrees 10' 40" East 57.05 feet along the Easterly  
boundary of the New York State Thruway to a point, said point being the  
Northwesterly corner of the herein described subject premises;

THENCE, South 60 degrees 33' 10" East 149.74 feet through the lands  
now or formerly of James Z. Patsalos to a point in the Westerly boundary  
of Union Avenue said point being the Northeasterly corner of the herein  
described subject premises;

THENCE, South 29 degrees 06' 50" West 300.00 feet along the Westerly  
boundary of Union Avenue to the point or place of beginning.

BEING a portion of the premises conveyed by Frank A. Zakary, Horace L. Zakary, Walter G. Zakary and Robert F. Zakary to James Z. Patsalos by Deed dated December 27, 1965 and recorded in the Orange County Clerk's Office on January 27, 1966 in Liber 1735 of Deeds at Page 869 and premises conveyed by the Town of New Windsor, Orange County, New York to James Z. Patsalos by Deed dated September 30, 1969, and recorded in the Orange County Clerk's Office on October 8, 1969 in Liber 1831 of Deeds at Page 849.

SUBJECT to an easement of the New York Telephone Company over, under and upon the easterly portion of the above described premises, which easement is to be recorded.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

LIBER 1916 PG 235

  
JAMES Z. PATSALOS

8/10/72

REC'D

8/21/72

Date 6/5/95, 19.....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 147 Sycamore Dr DR.  
New Windsor NY 12553

DATE

CLAIMED

ALLOWED

|         |                                  |        |  |
|---------|----------------------------------|--------|--|
| 5/22/95 | Zoning Board Meeting             | 75.00  |  |
|         | Misc - 2                         |        |  |
|         | Evans - 13                       |        |  |
|         | <del>Mobil Oil - 6</del> - 27.00 |        |  |
|         | Brisman - 5                      |        |  |
|         | Meyers - 8                       |        |  |
|         | Tierney - 4                      |        |  |
|         | Park Road - 11                   |        |  |
|         | <u>50.00</u>                     | 225.00 |  |
|         |                                  | 300.00 |  |
|         |                                  |        |  |
|         |                                  |        |  |
|         |                                  |        |  |
|         |                                  |        |  |

MOBIL OIL CORP./EASTERN CONSULTING, INC.

MR. NUGENT: Referred by Planning Board for (1) 7,662 s.f. lot area, (2) 54.84 ft. front yard variance for canopy, (3) 15.3 ft. maximum building height variance for canopy at Mobil Oil station located on Union Avenue and Rt. 207 in a C zone.

Mr. Richard M. Calkins appeared before the board for this proposal.

MR. CALKINS: Is everybody familiar with the location on this plan? What we're asking the Zoning Board of Appeals to allow us to do is to construct a canopy over the top of the existing gas pumps in the position that they are in right now. Obviously, not having a canopy there puts our dealer at a severe competitive disadvantage with the stations that are along Route 300, insofar as his ability to service his customers during either the dark, when it's dark out or when the weather is inclement. By installation of the canopy will allow us to install a lighting system that would be, it would better light the site and enhance the safety of the site and also provide weather protection for the customers. We'll also be able to install a fire suppression system. The reason we're asking for a variance is obviously the pumps are too close to the road to meet the letter of the zoning ordinance. The building being right behind it and the lot being very narrow doesn't facilitate the easy installation of a canopy, especially with a 60 foot front yard setback. We're also asking for a height variance. We feel we need the height in order to get a good lighting system, the fire suppression system to function properly and most importantly to allow the tank delivering the gasoline to pass under the canopy rather than back out onto Route 300. We feel that there is the possibilities of rearranging the site in order to meet the letter of the law. I don't think there is enough depth even here to put the canopy within the setbacks and we're here to ask the Zoning Board of Appeals for the necessary variance in order to do it. I did notice that one of the variances that was required is an area variance for the lot size. Obviously, this is a lot of

record within the town and it must have been created prior to, it's pre-existing, it existed prior to that zoning ordinance being enacted.

MR. TORLEY: How long has this been a gas station?

MR. CALKINS: Long time.

MR. TORLEY: Can the fact that being a gas station predate zoning?

MR. CALKINS: When was zoning enacted?

MR. TORLEY: '67.

MR. BABCOCK: '72, '72 it looks like.

MR. KRIEGER: Assuming for a second that it predated zoning as it presently exists which I understand is not known or not but assuming that were the case, if the property were unaffected, it would stay the same way it was when zoning was enacted. He would be able to use the popular term grandfathered in but as soon as he comes and applies to change the property, that brings it back up to date and that is an exception to the grandfather status. Grandfather status only gives you what you had at the time zoning went in. It doesn't give you permission to get more.

MR. KANE: So, if you change anything with that then that charges everything about the grandfather.

MR. NUGENT: Then you have to bring the whole property to code.

MR. KRIEGER: If you do anything to increase or change the use of what it was previously.

MR. TORLEY: He gets 30 percent increase.

MR. NUGENT: That is--

MR. TORLEY: Pre-existing non-conforming use.

MR. BABCOCK: 30 percent is floor area of the building.



MR. TORLEY: But if he's not changing the ground floor area of the building by more than 30 percent, he would be covered, wouldn't he?

MR. BABCOCK: I think the whole thing here is the building was built in 1972. So it was clearly after zoning. I think since he's here tonight for the rest of the variances, might as well clean it up. I don't know how it got there.

MR. TORLEY: Speaking of cleaning up, from looking at the Planning Board minutes, I gather there's an existing contamination problem?

MR. CALKINS: There is an existing spill under the pumps as it is right now. One of the factors involved in the construction of this project would also entail the cleanup of the site. We discussed that with the Planning Board and they said that if we got, if the DEC was happy with what we were doing, that they felt that they could give this site a negative dec.

MR. KRIEGER: Yes, it's the Zoning Board should note that in the event that the variances are asked for were granted, that isn't the last stop for them. That isn't the end of the process. They then have to go back to the Planning Board and get site plan approval. So all these questions about the DEC and so forth, even if he satisfies this board, that doesn't mean that his job is over.

MR. TORLEY: Just wanted you to be aware of that.

MR. LANGANKE: This canopy is going to have a clearance of 15'3"?

MR. CALKINS: Yes.

MR. LANGANKE: How tall are the tanker trucks that go in there?

MR. CALKINS: Between, well, a standard tractor trailer is between 13 and 14 but there's a little bit, the light hangs down and fire suppression has to be in

there also and it would be hard to line up the tractor trailer and try to feed him in between those.

MR. TORLEY: One thing I would like to know, assuming we set you up for a public hearing, is you have sought and have you received appropriate approvals for the cut outs and road access, et cetera?

MR. CALKINS: No, we aren't changing the curb cuts in any way.

MR. TORLEY: The other thing I'd like to know is whether our fire inspector has any input on this. Whenever we're doing stuff with gas stations--

MR. CALKINS: That would be part of the Planning Board.

MR. TORLEY: I know but I want before we give him a variance, I'd like to see that the fire inspector has seen the plans and doesn't have a problem with what we're doing. That is clearly part of our community safety aspect.

MR. NUGENT: We also need a letter, proxy letter from the owner of the property that you are representing.

MS. BARNHART: Are you going for any signs?

MR. CALKINS: I don't believe we are going for any signs at this time, other than what would be allowed under the zoning regulations.

MR. BABCOCK: Mr. Chairman, there's a letter in here from the fire inspector dated March 2, 1995 review of the above referenced site plan was conducted, this site plan is approved.

MR. NUGENT: Anymore questions by the board?

MR. TORLEY: Just one to bear in mind when you come in as to why the arrangement of the pump, if you are ripping the whole place out, why can't you so arrange the pump islands that you don't need the front yard variance? I don't need an answer now, just be ready for that since it's, I gather from what description of

the Planning Board version this whole site is going to be stripped down and--

MR. CALKINS: No, the area of the contamination is underneath these areas here. Mike LaMar (phonetic) was with me from Mobil Oil.

MR. TORLEY: If you are going to have to remove the pump islands to get the contaminated dirt out.

MR. CALKINS: Yes.

MR. TORLEY: So the question becomes if you have to do that, is there any other way you can arrange those pump islands that you don't need either that you require either no variance for the front canopy or a lesser variance because we're required to seek the lesser variance.

MR. CALKINS: Okay.

MR. LANGANKE: He's not saying that he wants to you put it somewhere else.

MR. CALKINS: Why we choose to put it where it is, okay.

MR. TORLEY: Don't want to--

MR. KANE: I move that we set Mobil Oil Corporation Eastern Consulting up for a public hearing for their requested variances.

MR. TORLEY: Second it.

ROLL CALL

|              |     |
|--------------|-----|
| MR. LANGANKE | AYE |
| MR. REIS     | AYE |
| MR. KANE     | AYE |
| MR. TORLEY   | AYE |
| MR. NUGENT   | AYE |

MR. CALKINS: When will we know what the date is?

May 22, 1995

20

MS. BARNHART: Fill out the paperwork and get it back to me and then that is the magic time.

MR. KRIEGER: Before you go, as you may have heard what I said to the last gentleman, the Zoning Board is required by state law to consider certain specific questions and this is a list of the criteria, if you would address yourself at the public hearing to those criteria, that would be helpful to enable the board to make a decision and don't forget the proxy, similar to the Planning Board procedure, just housekeeping.

MR. CALKINS: Okay, thank you, we'll take care of it, thank you.

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR  
COUNTY OF ORANGE : STATE OF NEW YORK

-----X  
In the Matter of Application for Variance of

Mobil Oil Corp./Eastern Consulting,  
Applicant.

AFFIDAVIT OF  
SERVICE  
BY MAIL

#95-21.  
-----X

STATE OF NEW YORK )  
                              ) SS.:  
COUNTY OF ORANGE )

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age  
and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On May 31, 1995, I compared the 13 addressed  
envelopes containing the attached Notice of Public Hearing with  
the certified list provided by the Assessor regarding the above  
application for variance and I find that the addressees are  
identical to the list received. I then mailed the envelopes in a  
U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart  
Patricia A. Barnhart

Sworn to before me this  
31<sup>st</sup> day of May, 1995.

Deborah Green  
Notary Public

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4984065  
Commission Expires July 15, 1995

(TA DOCDISK#7-030586.AOS)



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

1763  
May 8, 1995

(13)

Racheal Mayo  
Eastern Consulting  
36 Mill Plain Road  
Danbury, CT 06811

RE: Tax Map Parcel 4-1-9.3

Dear Ms. Mayo:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's office.

Sincerely,

*Leslie Cook*

Leslie Cook  
Sole Assessor

/cd

Attachment

cc: Patricia Bannhart

The City Of Newburgh  
c/o Comptroller  
Newburgh City Hall  
Newburgh, NY 12550

Helmer, William F, Peter S. Vonn &  
Conrad R. Remick  
D/B/A Execucorp  
P.O. Box 4292  
New Windsor, NY 12553

Maroney, James  
813-817 Union Ave.  
New Windsor, NY 12553

Fenelon Prop. INC.  
600 RT. 46  
Clifton, NJ 07015

Inhalation Therapy Co., INC,  
600 RT. 46  
Clifton, NJ 07015

City of Newburgh  
Newburgh Water Supply  
c/o City Comptroller  
City Hall  
Newburgh, NY 12550

Pavlik, Anthony M & Mary P  
c/o Mary P. Pavlik  
348 Lake Dr.  
Newburgh, NY 12550

Stellwag, Henry A & Helene  
308 Little Britain RD  
Newburgh. NY 12550

New York Telephone Company  
Room 3203  
1095 Avenue of Americas  
NY, NY 10036

Hecht, Eugene I  
304 Temple Hill Road  
New Windsor, NY 12553

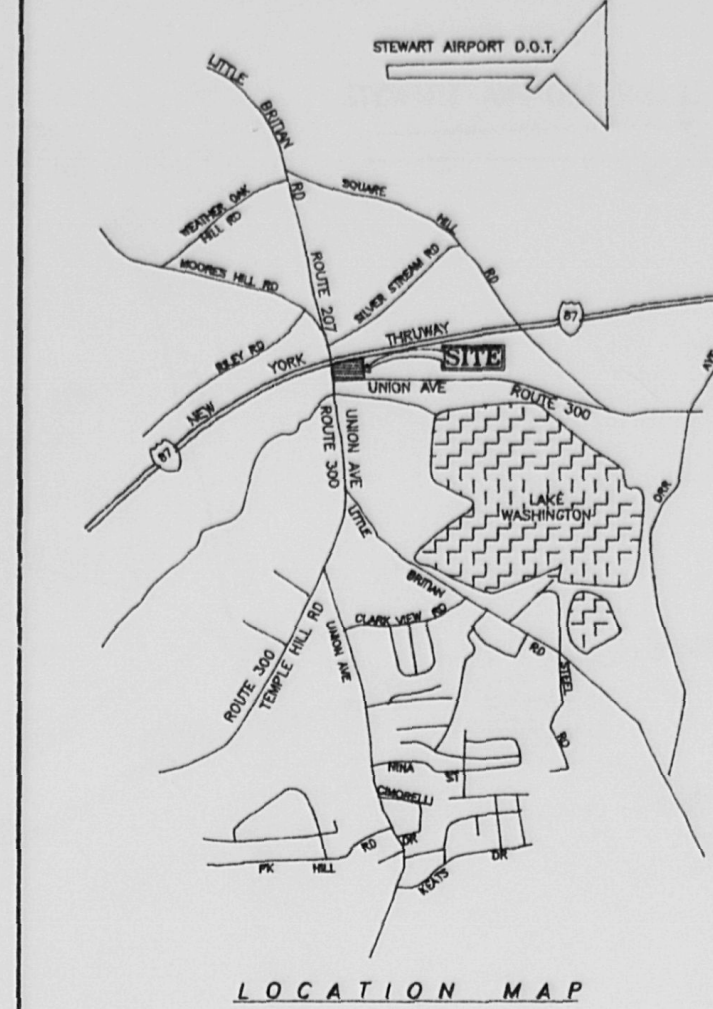
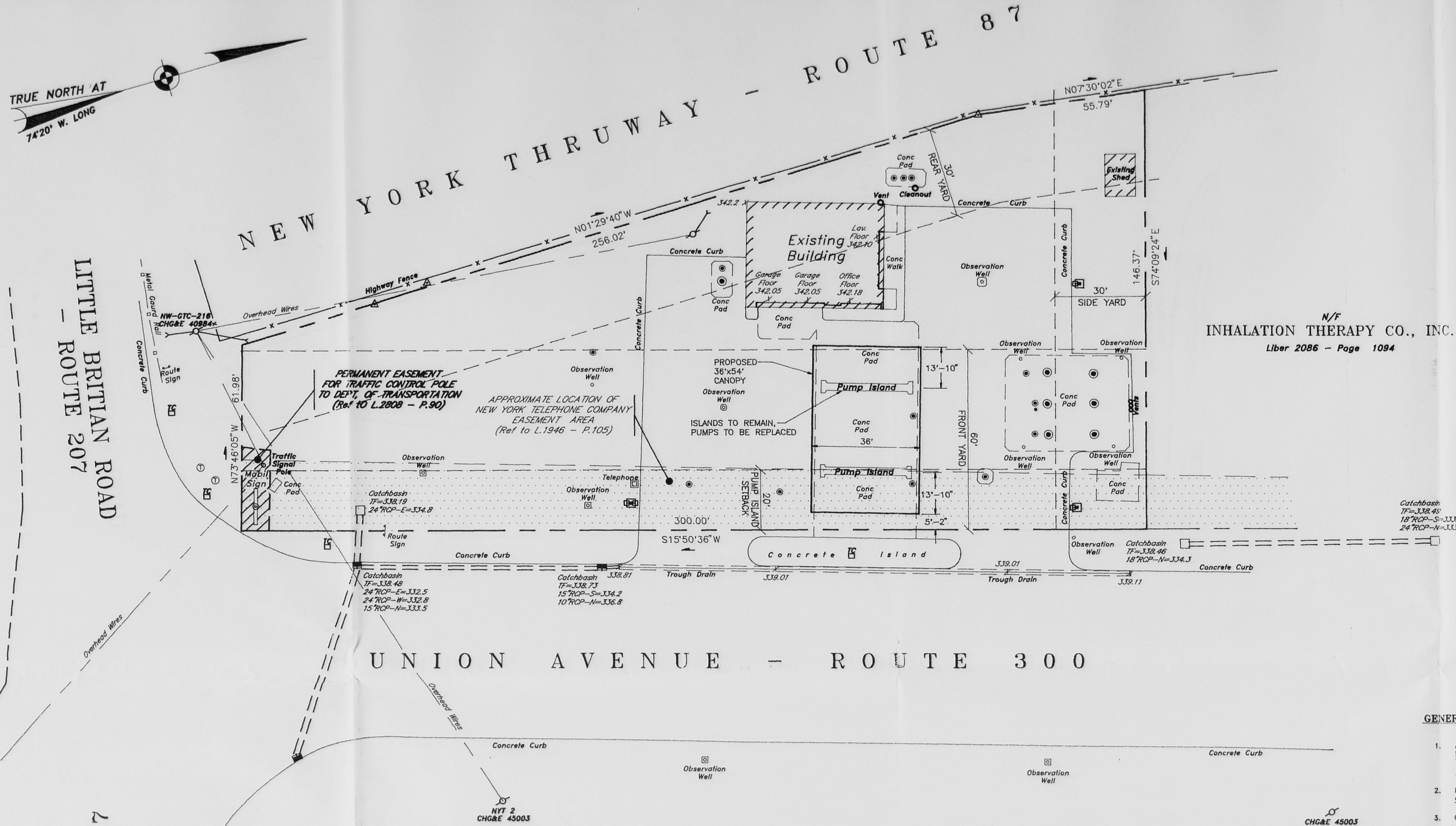
Myers, David MD  
169 Ramapo Valley RD  
Oakland, NJ 07436

Licari, Rita  
215A Riley Road  
New Windsor, NY 12553

Excaliber 7 INC.

4 Cottage St.  
Walkill, NY 12589





#### GENERAL NOTES

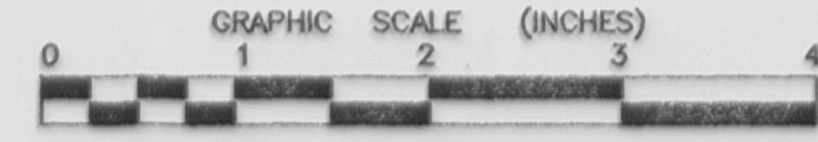
- ALL EXISTING IMPROVEMENTS & BOUNDARY INFORMATION DEPICTED IS BASED ON A MAP ENTITLED "PROPERTY OF MOBIL OIL CORPORATION, UNION AVENUE & LITTLE BRITIAN ROAD, TOWN OF NEW WINDSOR, COUNTY OF ORANGE, STATE OF NEW YORK, DATED DECEMBER, 1984, SHEET 1 OF 1, PREPARED BY WILLIAM A. BERGLUND, LICENSED LAND SURVEYOR, TORRINGTON, CT., CERTIFIED BY ARTHUR H. HOWLAND, N.Y.L.S. #45863.
- LOCATION OF ALL EXISTING AND PROPOSED SERVICES SHOWN ARE APPROXIMATE AND MUST BE CONFIRMED INDEPENDENTLY WITH THE UTILITY COMPANIES PRIOR TO COMMENCEMENT OF AND CONSTRUCTION.
- CANOPY INSTALLATIONS SHALL BE IN ACCORDANCE WITH NYS UNIFORM FIRE PREVENTION & BUILDING CODE, NFPA 30 AND REQUIREMENTS OF THE TOWN OF NEW WINDSOR AND ORANGE COUNTY, WHERE APPLICABLE.
- THIS DRAWING IS TO BE USED FOR LAYOUT PURPOSES ONLY AND DEPICT A CANOPY INSTALLATION. IT IS BASED ON INFORMATION PROVIDED TO OUR OFFICE AT THIS TIME. CONTRACTOR SHALL NOTIFY OUR OFFICE IMMEDIATELY IF ACTUAL EXISTING SITE CONDITIONS DIFFER, OR, IF THE PROPOSED CONSTRUCTION WOULD BE INHIBITED BY ANY OTHER SITE FEATURES NOT IDENTIFIED HEREIN.

#### ZONING ANALYSIS TABLE

| NO. | ISSUE                    | REQUIRED                                   | EXISTING                   | PROPOSED   | VARIANCE |
|-----|--------------------------|--|----------------------------|------------|----------|
| A   | EXISTING USE OF PROPERTY | RETAIL GASOLINE SALES AND SERVICE W/MART   |                            |            | N/A      |
| B   | PROP. USE OF PROPERTY    | RETAIL GASOLINE SALES AND SERVICE W/MART   |                            |            | N/A      |
| C   | ZONE                     | C-DESIGN SHOPPING                          |                            |            | N/A      |
| D   | LOT AREA                 | 40,000 Sq.Ft.                              | 32,338 Sq.Ft.              |            | N/A      |
| E   | LOT WIDTH                | 200'                                       | 300'                       |            | N/A      |
| F   | FRONT YARD               | 60'  | 73'                        | 5.75'      | 54.25'   |
| G   | REAR YARD                | 30'  | 5'                         | 5'         | N/A      |
| H   | SIDE YARD                | 30' W/TOTAL OF 70'                         | 87' & 165'                 | 75' & 165' | N/A      |
| I   | BUILDING HEIGHT          | 4" Per Ft. of Distance to Nearest Lot Line | 14'-6" (Existing Building) | 17'        | 15.3'    |
| J   | EXISTING FLOOR AREA      | N/A  | N/A                        | N/A        | N/A      |
| K   | PROP. FLOOR AREA         | N/A  | N/A                        | N/A        | N/A      |
| L   | COVERAGE                 | N/A  | N/A                        | N/A        | N/A      |
| M   | PUMP ISLAND SETBACK      | 20'  | 18'                        | 18'        | N/A      |

#### LEGEND

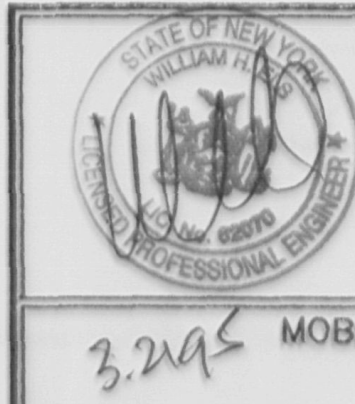
|                          |       |
|--------------------------|-------|
| STONE WALL               | ---   |
| WIRE FENCE               | -X-X- |
| WATER LINE               | ---   |
| GAS LINE                 | ---   |
| SANITARY SEWER LINE      | ---   |
| STORM SEWER LINE         | ---   |
| CONTOUR LINE             | ---   |
| GAUDD RAIL               | ---   |
| VENT PIPE                | ○     |
| CONCRETE MONUMENT        | △     |
| METAL TANK COVER         | ●     |
| SANITARY SEWER MANHOLE   | ⊙     |
| STORM SEWER MANHOLE      | ⊙     |
| CURB CATCH BASIN         | ⊞     |
| CURBLESS CATCH BASIN     | ⊞     |
| UTILITY POLE             | ○     |
| UTILITY POLE W/GUY       | ○     |
| SINGLE LIGHT POLE        | ⊞     |
| DOUBLE LIGHT POLE        | ⊞     |
| WATER SHUTOFF            | ⊞     |
| GAS SHUTOFF              | ⊞     |
| FIRE HYDRANT             | ⊞     |
| TRAFFIC CONTROL HANDHOLE | ⊞     |
| TELEPHONE MANHOLE        | ⊞     |



#### SITE PLAN

**Mobil Oil Corporation**  
U.S. Marketing & Refining Division  
Marketing, Operations Engineering Department  
Fairfax, Virginia 22037

TOWN OF NEW WINDSOR  
PLAN REVIEWED AT:  
4-12-95  
AND APPROVAL DENIED  
AVAILABLE FOR REFERRAL  
TO ZBA



**EASTERN CONSULTING INC.**  
36 Mill Plain Road  
Danbury, Connecticut 06811  
PHONE: (203) 748-0800 FAX: (203) 748-8018

**CIVIL & CONSULTING ENGINEERS**  
"ENVIRONMENTAL & SITE PLAN"

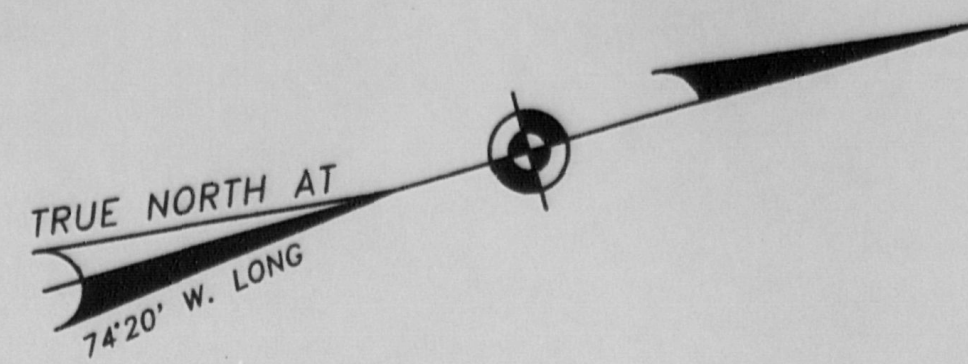
**PROJECT MANAGERS**  
"PERMIT EXPEDITORS"

Proj. No.  
D94020  
Co. 158

MOBIL CORP. SS#17-LY2  
801 UNION AVENUE  
NEW WINDSOR, NY

95-8 RECEIVED MAR 30 1995





LITTLE BRITIAN ROAD  
- ROUTE 207

UNION AVENUE  
ROUTES 300 & 207

NEW YORK THRUWAY - ROUTE 87



N/F  
INHALATION THERAPY CO., INC.  
Liber 2086 - Page 1094

#### LEGEND

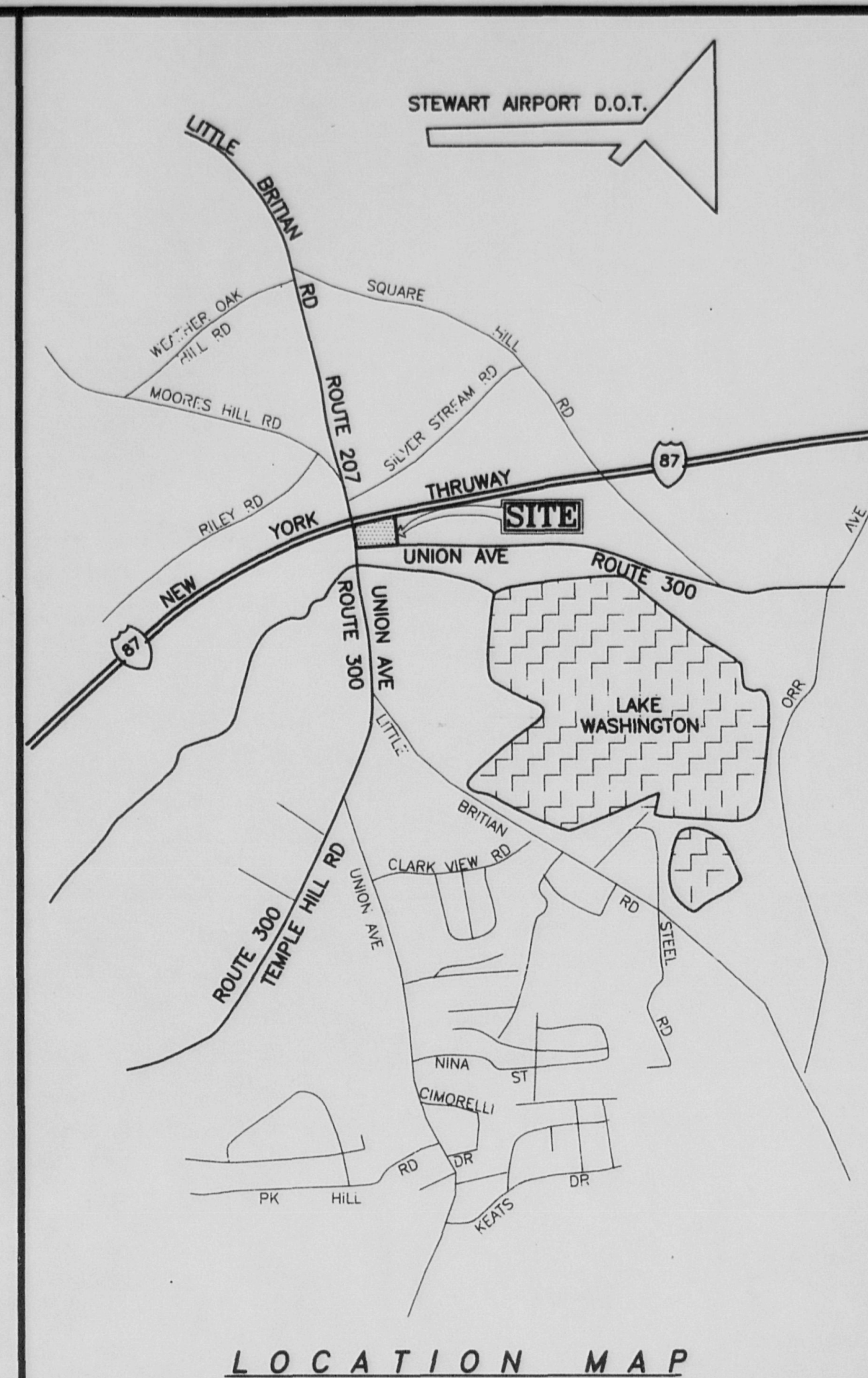
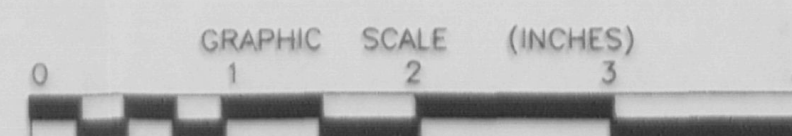
|                          |   |
|--------------------------|---|
| STONE WALL               | ○ |
| WIRE FENCE               | △ |
| WATER LINE               | ○ |
| GAS LINE                 | ○ |
| SANITARY SEWER LINE      | ○ |
| STORM SEWER LINE         | ○ |
| CONTOUR LINE             | ○ |
| GAUDD RAIL               | ○ |
| VENT PIPE                | ○ |
| CONCRETE MONUMENT        | ○ |
| METAL TANK COVER         | ○ |
| SANITARY SEWER MANHOLE   | ○ |
| STORM SEWER MANHOLE      | ○ |
| CURB CATCH BASIN         | ○ |
| CURBLESS CATCH BASIN     | ○ |
| UTILITY POLE             | ○ |
| UTILITY POLE W/GUY       | ○ |
| SINGLE LIGHT POLE        | ○ |
| DOUBLE LIGHT POLE        | ○ |
| WATER SHUTOFF            | ○ |
| GAS SHUTOFF              | ○ |
| FIRE HYDRANT             | ○ |
| TRAFFIC CONTROL HANDHOLE | ○ |
| TELEPHONE MANHOLE        | ○ |

#### NOTES

1. AREA - 32,338 S.F. or 0.742 Acres.
2. Refer to maps prepared by New York State Department of Transportation, New York State Thruway Authority and Eustance & Horowitz, P.C.
3. The alteration of survey maps by anyone other than the original preparer is misleading, confusing, and not in the general welfare and benefit of the public. Licensed Land Surveyors shall not alter survey maps, survey plans, or survey plats prepared by others.
4. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.
5. Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid true copies.
6. Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to his assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners.

I HEREBY CERTIFY TO MOBILE OIL CORPORATION AND ITS TITLE COMPANY THAT THIS PLAN HAS BEEN COMPILED FROM A SURVEY ACTUALLY MADE ON NOVEMBER 17, 1994, ON THE GROUND; THAT IT IS CORRECT; AND THAT AT THE TIME THE SURVEY WAS MADE, THERE WERE NO EASEMENTS EITHER WAY ACROSS PROPERTY LINES EXCEPT AS SHOWN HEREON.

AUTHOR H. HOWLAND, N.Y.L.S. #45863



PROPERTY OF  
**MOBIL OIL CORPORATION**  
UNION AVENUE & LITTLE BRITIAN ROAD  
TOWN OF NEW WINDSOR  
COUNTY OF ORANGE  
STATE OF NEW YORK

|                   |                        |                     |                     |
|-------------------|------------------------|---------------------|---------------------|
| SCALE<br>1" = 20' | DATE<br>DECEMBER, 1994 | SHEET NO.<br>1 OF 1 | JOB NO.<br>1531-101 |
|-------------------|------------------------|---------------------|---------------------|

WILLIAM A. BERGLUND  
LICENSED LAND SURVEYOR  
TORRINGTON, CONNECTICUT